

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of)
themselves and all others similarly situated,)

Plaintiffs,)

v.)

U.S. DEPARTMENT OF EDUCATION and)
Suzanne GOLDBERG, in her official capacity as)
Acting Assistant Secretary for Civil Rights,)
U.S. Department of Education,)

Defendants.)

Civil Action No.

**DECLARATION OF SPENCER
VIGIL**

I, Spencer Vigil, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am a resident of Seattle, Washington, located in King County.
3. I am a transgender, bisexual man who is also part of the BIPOC community.
4. I started attending Seattle Pacific University in Seattle, Washington in September 2015. I graduated in June 2019.
5. I chose Seattle Pacific because it was someplace I could escape to after losing my mom to cancer in 2015. Their financial aid offers were also too good to pass up for the experience of living in the city. I also had family that were close by and felt comfortable having them close by if needed.
6. Seattle Pacific has a few different policies on its website concerning sexual orientation and gender identity.
7. In the Student Standards of Conduct, Seattle Pacific lists behavior forbidden by the school, including "Sexual activity outside of a married relationship." However, SPU limits marriage to heterosexual marriage, so LGBTQ+ students are confined to singleness and abstinence.
8. The school also has an extensive Statement on Human Sexuality:

As a community of men and women committed to following Christ, Seattle Pacific University recognizes the centrality of biblical teaching in all matters of life including human sexuality. We recognize, as well, the diversity of opinions within our community when it comes to the interpretation of Scripture regarding this subject and many others. Recognizing our commonalities as well as our diversity, therefore, we affirm the following:

Human beings are created in the image of God, male and female, and are of inestimable worth. Because we are created in God's image, people must be treated with respect and dignity by all institutions in society whether male or female, young or old, rich or poor, believer or unbeliever, homosexual or heterosexual. This priceless value constitutes the theological and anthropological foundation of our discussions regarding human sexuality. We, therefore, affirm the fundamental worth of all human persons, including those with whom we disagree.

Human beings are created in the image of God, male and female. The explicit relational dimension of human beings and the inherent differentiation of gender are foundational to our understanding of creation itself. Our discussions and considerations of human sexuality, therefore, take place within the context of these assumptions. Human sexuality is both a relational truth and it is gender differentiated.

Human sexuality is intended by God to include more than the contemporary cultural emphasis upon physical, sexual experience. Our sexuality is intended by God to reflect the whole of our sensual and relational createdness. We, therefore, renounce the equation of sexuality with genital sex alone and the false representation of sexuality found in pornography. We believe that such an emphasis results in the dehumanization of all people, especially women and children.

We recognize the need to affirm the Christian virtues of holiness and godliness in this very significant dimension of being human. We assert that holiness and godliness as they relate to human sexuality require more than the avoidance of evil. These dimensions of spirit-filled character involve the positive celebration of who we are as created beings. Therefore, we are to interact with one another with great responsibility, respect, and with unselfish love.

The delight we experience through our sexual experience requires of us a sense of stewardship, a trust that extends not only to ourselves but also to others. Therefore, we remind ourselves, as well as those beyond our community, of the responsibility not to engage in the sexual exploitation or the sexual harassment of others. This stewardship is particularly important in the human institutions of church, work, friendship, marriage, and family.

*In particular, we affirm the institutions of marriage and family as central to the purposes of God. **We believe it is in the context of the covenant of marriage between a man and a woman that the full expression of sexuality is to be experienced and celebrated and that such a commitment is part of God's plan for human flourishing. Within the teaching of our religious tradition, we affirm that sexual experience is intended between a man and a woman.***

*We believe this is the ancient and historic teaching of Christian scriptures and tradition, including the teaching of Seattle Pacific's founding denomination, the Free Methodist Church. We believe this continues to be the teaching of the Christian Church around the world and remains the guiding light for our practice. We are also aware that this teaching is found in most other religious traditions as well. **While we affirm the institution of marriage, we also recognize and affirm the call of some to singleness and celibacy.***

Because the issues surrounding human sexuality are controversial, as a community of learning we recognize that our discussions and considerations regarding sexuality, whether in writing or in the classroom, must be treated with personal and spiritual sensitivity and with scholarly care. Therefore, we agree to evaluate our teaching and our pronouncements regarding sexuality in the light of the historic understanding of the Christian Church and the authority of the biblical witness. In this spirit we agree to submit our teachings and pronouncements to one another as followers of Christ.

Finally, recognizing the sinfulness and fallenness of our human nature, we acknowledge our need for God's grace and mercy in our actions, discussions, and considerations of human sexuality. We seek God's grace that we might rise above our human weaknesses and God's mercy that we might

live in unity with one another in the midst of our brokenness and in response to the call of God upon our lives to love one another and thus fulfill the law of Christ.

9. Because of SPU's policies and campus climate, I felt very afraid to come out as transgender on campus. I found comfort in trusted friends and faculty but it was difficult navigating who I could trust.
10. I felt like I was always doing something wrong being who I was. SPU's "grace" had edges.
11. I've had students call me slurs on campus. I've been kicked out of the men's bathroom in halls on my university campus.
12. I decided to publicly come out as transgender at SPU in 2019.
13. During this time, a teacher publicly humiliated me in front of my peers regarding my name and sex. In response to his questioning, I told him that I was transgender and had changed my name. She laughed at me and said "I'm not going to call you that." She did this in front of the entire class.
14. The most egregious action was that taken by the theater department in 2019. For a theater production, I auditioned for, and was cast to play, a male character. This was important to me because I wanted to play a character on-stage whose gender was consistent with my gender off-stage.
15. However, the head of the theater department called me to a meeting. There were a few students present at this meeting but I did not know what the meeting was about.
16. The professor handed me a document that was for 'my and the departments protection.'
17. The document explained that I knew I was knowingly breaking lifestyle expectations at SPU and that I was aware of a list of consequences that could be taken against me should the head of lifestyle expectations find out, including loss of scholarships, inability to graduate on time, and the potential to be kicked out of the University altogether.
18. I did not agree with these things but, at the time, I felt I had no other option. So, I signed the agreement.
19. After graduation, I had a difficult time processing this and would look to my friends for strength and clarification.
20. Thinking back on the situation, I was so emotionally devastated that I had trouble sleeping for months.
21. I eventually complained to SPU regarding this situation, and followed up with SPU on multiple occasions, but SPU failed to take action.

22. Transgender students like me remain vulnerable to harassment and discrimination at SPU.
23. I continue to suffer from anxiety, depression, and insomnia resulting from the campus climate at SPU and discriminatory actions taken against me.
24. I am a federal income taxpayer in the United States. I am also repaying student loans from the U.S. Department of Education that I took out to enroll in Seattle Pacific University
25. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this ____ day of March, 2021.

By: 
Spencer Vigil (Mar 26, 2021 16:33 PDT)

Spencer Vigil

Spencer Vigil Declaration v2

Final Audit Report

2021-03-26

Created:	2021-03-26
By:	Lauren Swain (lauren@paulsouthwick.com)
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